



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.              | CONFIRMATION NO. |
|---|-------------|----------------------|----------------------------------|------------------|
| 10/727,697  | 12/04/2003  | Ted A. Barnes        | PGI 02910 PTUS                   | 8662             |
| 32233   | 7590        | 10/16/2006           | EXAMINER<br>VANterPOOL, LESTER L |                  |
| STORM LLP<br>BANK OF AMERICA PLAZA<br>901 MAIN STREET, SUITE 7100<br>DALLAS, TX 75202 |             |                      | ART UNIT<br>3782                 | PAPER NUMBER     |

DATE MAILED: 10/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

e

|                              |   |                                       |  |
|------------------------------|---|---------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/727,697    | <b>Applicant(s)</b><br>BARNES, TED A. |  |
|                              | <b>Examiner</b><br>Lester L. Vanterpool | <b>Art Unit</b><br>3782               |  |

**– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 September 2006.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on September 14, 2006 has been entered.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 – 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ho (U.S. Patent Number 6062053) in view of Gates et al., (U.S. Patent Number 6588637 B2). Ho discloses the body (20) (See Figure 2); the pair of parallel mounting holes (25) in the body (20) (See Figure 2); the mounting holes (25) aligned with portals in the

Art Unit: 3782

control bracket (26) (See Figure 2); the radial relief (27) located between the parallel mounting holes (25) (See Figures 2, 5 – 7); the accessory hole (21) (See Figure 2); and wherein the radial relief (27) is engageable with the control bracket (26) (See Figure 2).

However, Ho does not disclose the threaded accessory hole.

Gates et al., teaches the threaded accessory hole (42) (See Figure 1) (See Column 3, lines 25 –26) for the purpose of providing reliable and durable security capabilities.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the threaded accessory hole as Gates et al., with the vehicle accessory mount adapted for attachment to a handle-barred vehicle control bracket of Ho in order to enhance reliable and durable security capabilities.

Furthermore, it would have been obvious matter of design choice to the push button hole, since applicant has not disclosed that the threaded accessory hole solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with the push button hole.

Regarding claim 2, Ho further discloses the cylinder portion; and the countersink portion that is larger in diameter than the cylinder portion (See Figure 2).

Regarding claim 3, Ho further discloses the body (20) is generally rectangular (See Figure 2).

Regarding claim 4, Ho discloses the invention substantially as claimed. Ho discloses the accessory hole (21) is located between the mounting holes (25) (See Figure 2).

However, Ho does not disclose the threaded accessory hole.

Gates et al., teaches the threaded accessory hole (42) (See Figure 1) (See Column 3, lines 25 –26) for the purpose of providing reliable and durable security capabilities.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the threaded accessory hole as Gates et al., with the vehicle accessory mount adapted for attachment to a handle-barred vehicle control bracket of Ho in order to enhance reliable and durable security capabilities.

Furthermore, it would have been obvious matter of design choice to the push button hole, since applicant has not disclosed that the threaded accessory hole solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with the push button hole.

Regarding claim 5, Ho discloses the invention substantially as claimed. However, Ho does not disclose the threaded accessory hole located in substantially perpendicular relationship to the mounting holes.

Gates et al., teaches the threaded accessory hold (42) (See Figure 1) is located in substantially perpendicular relationship to the mounting holes (46) (See Figure 1) for the purpose of providing multi-functional capabilities.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the threaded accessory hole located in substantially perpendicular relationship to the mounting holes as taught by Gates et al., with the vehicle accessory mount adapted for attachment to a handle-barred vehicle control bracket of Ho in order to enhance multi-functional capabilities.

4. Claims 6 – 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ho (U.S. Patent Number 6062053) and Gates et al., (U.S. Patent Number 6588637 B2) as applied to claim 1 above, and further in view of Hammons (U.S. Patent Number 6234510 B1). Ho discloses the invention substantially as claimed.

However, Gates et al., does not disclose the ball stud attached to the threaded accessory hole.

Hammons teaches the ball stud (E) attached to the threaded accessory hole (D) (column 3, line 47 – 49) (See Figures 2 and 5) for the purpose of providing multi-functional capabilities.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the ball stud attached to the threaded accessory hole as taught by Hammons with the vehicle accessory mount adapted for attachment to a handle-barred vehicle control bracket of Ho in order to enhance multi-functional capabilities.

Regarding claim 7, Ho discloses the body (20) (See Figure 2); the pair of parallel mounting holes (25) in the body (20) (See Figure 2).

However, Ho does not disclose the ball stud attached to the body.

Hammons teaches the ball stud (E) attached to the body (20 & C) for the purpose of providing multi-functional capabilities.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the ball stud attached to the body as taught by Hammons with the vehicle accessory mount adapted for attachment to a handle-barred vehicle control bracket of Ho in order to enhance multi-functional capabilities.

5. Claims 8 – 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ho (U.S. Patent Number 6062053) in view of Gates et al., (U.S. Patent Number 6588637 B2) and Fujite et al., (U.S. Patent Number 3825407). Ho discloses the body (20) (See Figure 2); the pair of parallel mounting holes (25) in the body (20); the mounting holes (25) aligned with portals in the control bracket (26) (See Figure 2); the mounting holes (25) and bolt portals (See Figure 2) in the control bracket (26) (See Figure 2); and the accessory hole (21).

However, Ho does not disclose the pair of hollow standoffs locatable between the mounting holes and bolt portals in the control bracket.

Fujite et al., teaches the pair of hollow standoffs (9) (See Figure 1) locatable between the mounting holes (8) (See Figure 1) and bolts portals (8) in the control bracket (7) (See Figure 1) for the purpose of providing multi-functional capabilities.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the pair of hollow standoffs locatable between the mounting holes and bolt portals in the control bracket as taught by Fujite et al., with the vehicle accessory mount adapted for attachment to a handle-barred vehicle control bracket of Ho in order to enhance multi-functional capabilities.

However, Ho does not disclose the threaded accessory hole.

Gates et al., teaches the threaded accessory hole (42) (See Figure 1) (See Column 3, lines 25 –26) for the purpose of providing reliable and durable security capabilities.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the threaded accessory hole as Gates et al., with the vehicle accessory mount adapted for attachment to a handle-barred vehicle control bracket of Ho in order to enhance reliable and durable security capabilities.

Furthermore, it would have been obvious matter of design choice to the push button hole, since applicant has not disclosed that the threaded accessory hole solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with the push button hole.

Regarding claim 9, Ho further discloses the body (20) is generally rectangular (See Figure 2).

Regarding claim 10, Ho further discloses the radial relief (27) located between the parallel mounting holes (25) (See Figures 2, 5 – 7).

Regarding claim 11, Ho discloses the invention substantially as claimed. Ho discloses the accessory hole (21) is located between the mounting holes (25) (See Figure 2).

However, Ho does not disclose the threaded accessory hole.

Gates et al., teaches the threaded accessory hole (42) (See Figure 1) (See Column 3, lines 25 –26) for the purpose of providing reliable and durable security capabilities.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the threaded accessory hole as Gates et al., with the vehicle accessory mount adapted for attachment to a handle-barred vehicle control bracket of Ho in order to enhance reliable and durable security capabilities.

Furthermore, it would have been obvious matter of design choice to the push button hole, since applicant has not disclosed that the threaded accessory hole solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with the push button hole.

Regarding claim 12, Ho discloses the invention substantially as claimed. However, Ho does not disclose the threaded accessory hole located in substantially perpendicular relationship to the mounting holes.

Gates et al., teaches the threaded accessory hold (42) (See Figure 1) is located in substantially perpendicular relationship to the mounting holes (46) (See Figure 1) for the purpose of providing multi-functional capabilities.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the threaded accessory hole located in substantially perpendicular relationship to the mounting holes as taught by Gates et al., with the vehicle accessory mount adapted for attachment to a handle-barred vehicle control bracket of Ho in order to enhance multi-functional capabilities.

Regarding claim 13, Ho further discloses the cylinder portion; and the countersink portion that is larger in diameter than the cylinder portion (See Figure 2).

Regarding claim 14, Ho discloses the invention substantially as claimed.

However, Ho does not disclose the inside diameter of each hollow standoff is substantially the same as the inside diameter of the cylinder portion of the mounting holes.

Fujite et al., teaches the inside diameter of each hollow standoff (9) (See Figure 1) is substantially the same as the inside diameter of the cylinder portion of the mounting holes (8) (See Figures 1 & 2) for the purpose of providing multi-functional capabilities.

It would have been obvious to one ordinary skill in the art at the time the invention was made to make the inside diameter of each hollow standoff is substantially

Art Unit: 3782

the same as the inside diameter of the cylinder portion of the mounting holes as taught by Fujite et al., with the vehicle accessory mount adapted for attachment to a handle-barred vehicle control bracket of Ho in order to enhance multi-functional capabilities.

6. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ho (U.S. Patent Number 6062053) in view of Fujite et al., (U.S. Patent Number 3825407) and Hammons (U.S. Patent Number 6234510 B1). Ho discloses the body (20) (See Figure 2); the pair of parallel mounting holes (25) in the body (20) (See Figure 2); the mounting holes (25) aligned with portals in the control bracket (26) (See Figure 2); mounting holes (25) and the portals (See Figure 2).

However, Ho does not disclose the pair of hollow standoffs locatable between the mounting holes and the portals.

Fujite et al., teaches the pair of hollow standoffs (9) (See Figure 1) locatable between the mounting holes (8) (See Figure 1) and the portals (8) (See Figure 1) for the purpose of providing multi-functional capabilities.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the pair of hollow standoffs locatable between the mounting holes and the portals as taught by Fujite et al., with the vehicle accessory mount adapted for attachment to a handle-barred vehicle control bracket of Ho in order to enhance multi-functional capabilities.

However, Ho does not disclose the ball stud attached to the body.

Hammons teaches the ball stud (E) attached to the body (20 & C) for the purpose of providing multi-functional capabilities.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the ball stud attached to the body as taught by Hammons with the vehicle accessory mount adapted for attachment to a handle-barred vehicle control bracket of Ho in order to enhance multi-functional capabilities.

### ***Conclusion***

7. Applicant is duly reminded that a complete response must satisfy the requirements of 37 C.F. R. 1.111, including: "The reply must present arguments pointing out the specific distinctions believed to render the claims, including any newly presented claims, patentable over any applied references. A general allegation that the claims "define a patentable invention" without specifically pointing out how the language of the claims patentably distinguishes them from the references does not comply with the requirements of this section. Moreover, "The prompt development of a clear Issue requires that the replies of the applicant meet the objections to and rejections of the claims." Applicant should also specifically point out the support for any amendments made to the disclosure. See MPEP 2163.06 II(A), MPEP 2163.06 and MPEP 714.02. The "disclosure" includes the claims, the specification and the drawings.

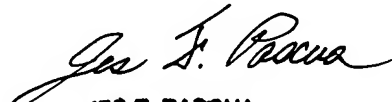
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lester L. Vanterpool whose telephone number is 571-272-8028. The examiner can normally be reached on Monday - Friday (8:30 - 5:00) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Newhouse can be reached on 571-272-4544. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



LLV



**JES F. PASCUA**  
**PRIMARY EXAMINER**